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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Benfey et al.

Application No.: 09/265,585

Group Art Unit: 1646

Filed: March 10, 1999

Examiner: Kemmerer, E.

For: SCARECROW GENE, PROMOTER
AND USES THEREOF

Atty. Docket No.: 5914-066

**RESPONSE TO RESTRICTION REQUIREMENT AND
AMENDMENT UNDER 37 C.F.R. § 1.111**

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the outstanding Office Action dated March 12, 2001, in which the Examiner imposed a restriction requirement, please enter the following amendments and consider the remarks below. Applicants submit concurrently (a) Exhibits A and B, which are a marked up version of replacement paragraphs of the specification and a list of the claims pending after entry of this amendment, respectively; (b) an Amendment Fee Transmittal Sheet; (c) a Petition for Extension of Time for Response for a period of five (5) months from April 12, 2001 to and including September 12, 2001, accompanied by authorization to charge the appropriate fee; (d) a Supplemental Information Disclosure Statement and a List of References Cited listing references BW-BZ and CA-CF, together with a copy of each of references BW, CA, CB, CD and CF; (e) a Substitute Sequence Listing in Paper and Computer Readable Form Pursuant to 37 C.F.R. §1.821; (f) a Transmittal of Substitute Sequence Listing; (g) a Request for Correction of Filing Receipt; and (h) a Change of Correspondence Address.

IN THE SPECIFICATION:

Please amend the specification with the following paragraph:

On page 17, line 15, please replace the paragraph beginning "FIG. 11B." with the following paragraph:

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